

Message Text

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C O N F I D E N T I A L DUBLIN 0068

NOFORN

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TAGS: PFOR, EI

SUBJ: SUNNINGDALE SPIRIT DISSIPATING

SUMMARY: IN DAYS SINCE SUNNINGDALE AGREEMENT, SPIRIT OF GOOD WILL HAS BEEN RAPIDLY EVAPORATING, BUT AGREEMENT ITSELF IS STILL INTACT. EACH SIDE IS ACCUSING THE OTHER OF FAILURE TO LIVE UP TO LETTER OR SPIRIT OF SUNNINGDALE. THE PROBLEMS RESULT, HOWEVER, FROM REAL POLITICAL CONSTRAINTS. THERE STILL APPEARS TO BE DETERMINATION TO MAKE PACKAGE WORK DESPITE PROBLEMS.

1. MOST DISCUSSED EVENT, SOUTH AS WELL AS NORTH, HAS BEEN SPLIT IN UNIONIST PARTY AND ITS CONSEQUENCES. NOW THAT FAULKNER LEADS A SPLINTER GROUP, THERE HAS BEEN INCREASED PRESSURE ON DUBLIN TO STRENGTHEN HIS POSITION. OLIVER NAPIER OF ALLIANCE PARTY HAS CALLED FOR AN IMMEDIATE REFERENDUM IN REPUBLIC TO ABOLISH ARTICLES II AND III OF CONSTITUTION, WHICH CLAIM NORTHERN IRELAND. (THIS IS A NON-STARTER, SINCE NO ONE HERE THINKS THE REFERENDUM WOULD CARRY). ENGLISH NEWSPAPERS AND NORTHERN IRELAND POLITICIANS - INCLUDING MODERATES - HAVE CALLED FOR MORE DUBLIN ACTION AGAINST IRA, INCLUDING EXTRADITION OF IRA MEMBERS ACCUSED OF CRIMES IN THE NORTH. MORE SURPRISINGLY, CONFIDENTIAL

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DESMOND BOAL, ONCE KNOWN AS PAISLEY'S GREY EMINENCE, HAS PROPOSED

, -))-IRELAND FEDERAL STATE MUCH LIKE THAT URGED BY PROVO IRA.

2. IN THE REPUBLIC, GOI HAS HAD TROUBLE SELLING FIANNA FAIL, MAJOR OPPOSITION PARTY, THE SUNNINGDALE FORMULA FOR RECOGNITION OF NORTHERN IRELAND STATUS. GOI HAS ALSO FOUND IT VERY DIFFICULT TO COME UP WITH AND NEW ANTI-IRA MEASURES, ALTHOUGH REPRESSION OF PROVOS CONTINUES SY*TEMA *CALLY ALONG PREVIOUS LINES. AONTACHT EIREANN PARTY HAS BROUGHT COURT SUIT CHALLENGING THE "RECOGNITION" FORMULA, AND THIS HAS HAD UNDESIRABLE SIDE EFFECT OF FORCING GOI LAWYERS TO STATE THAT NOTHING IN SUNNINGDALE AGREEMENT MODIFIES REPUBLIC'S CONSTITUTION. REACTION OF GOI TO ALL THESE PRESSURES HAS BEEN TO SAY THAT IT WILL CARRY OUT ITS SHARE OF SUNNINGDALE AGREEMENT AT ALL COSTS, THAT OTHER PARTIES MUST DO LIKEWISE, AND THAT ANY CHANGES IN THE AGREEMENT WOULD BE IMPOSSIBLE.

3. WITH THESE PROBLEMS IN MIND, WE ASKED FOR BRIEFING JANUARY 11 FROM SEAN DONLON OF PROFF (PROTECT) WHO HAD JUST RETURNED FROM ONE OF HIS REGULAR VISITS. HE TOLD US THAT GOI HOPED SECOND, FORMAL STAGE OF SUNNINGDALE TALKS WOULD TAKE PLACE ON SCHEDULE, THOUGH THERE HAS BEEN SOME DISCUSSION IN ENGLAND AND IN NORTHERN IRELAND OF DEFERRING SECOND STAGE. GOI HAS PROPOSED HOLDING TALKS IN LATE JANUARY OR EARLY FEBRUARY, BUT DATE HAS NOT BEEN AGREED UPON. GOI HAS ALSO PROPOSED THAT THE SECOND STAGE BE HELD IN REPUBLIC (PROTECT INFORMATION). BOTH FAULKNER AND LONDON SEEM INCLINED TO GO ALONG, BUT DUBLIN WILL NOT BE TOO DISAPPOINTED IF PROPOSAL DEFEATED. MAJOR OBJECTIONS TO REPUBLIC SITE FOR CONFERENCE MAY COME FROM ALLIANCE PARTY, WHICH HAS TAKEN UP POSITION TO RIGHT OF FAULKNER, WITH OBJECTIVE OF PROTECTING HIS FLANK. DONLON CONSIDERS THIS FOOLISH TACTIC, AS FAULKNER IS NOW OBLIGED TO SHOW HE IS BETTER UNIONIST THAN NAPIER. THE REAL REASONS FOR ALLIANCE MISCALCULATION MAY BE FOUND IN PERSONALITY OF OLIVER NAPIER, AN EX-IRA MAN WHO FEELS NEED TO PROVE THAT HE HAS REPENTED.

4. FAULKNER, HOWEVER, IS ALSO HESITANT ABOUT SCHEDULING FINAL STAGE OF THE SUNNINGDALE CONFERENCE, SAYING THAT HE IS TOO WEAK POLITICALLY TO SURVIVE ANOTHER CONFERENCE IN NEAR FUTURE. DUBLIN UNDERSTANDS HIS PROBLEM BUT THINKS IT IMPORTANT TO GET FULL FORMAL AGREEMENT OUT OF THE WAY SO NORTHERN IRELAND PUBLIC CAN SWITCH

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FOCUS TO DAY-TO-DAY FUNCTIONING OF ITS FIRST POWER-SHARING GOVERNMENT. THIS IS ESPECIALLY IMPORTANT BECAUSE A REFERENDUM ON SUNNINGDALE AGREEMENT MAY WELL BE HELD IN NI NEXT JUNE OR JULY. BOTH FAULKNER AND SDLP NOW FAVOR SUCH A REFERENDUM, THOUGH THEY ARE NOT FULLY COMMITTED. THE BRITISH ARE RELUCTANT, BOTH BECAUSE OF PRECEDENT AND BECAUSE THEY DO NOT WISH TO DEVOTE MORE PARLIAMENTARY TIME TO NI. BELFAST MODERATES REASON THAT REFERENDUM WOULD ISOLATE EXTREMISTS AND SHOW HOW MUCH STRENGTH FAULKNER RETAINS.

5. UNDER TERMS OF FIRST-STAGE SUNNINGDALE AGREEMENT, THE ONLY TASK WHICH MUST BE COMPLETED BEFORE THE SECOND STAGE OF THE TALKS IS TO DESIGNATE FUNCTIONS OF COUNCIL OF IRELAND. BOTH GOI AND NI ARE WORKING ON THIS, THOUGH DUBLIN IS NATURALLY BETTER PREPARED. LONDON IS NOT INVOLVED.

6. DUBLIN DOES NOT WANT TO DELAY SECOND-STAGE TALKS UNTIL WORK HAS BEEN COMPLETED ON METHODS OF DEALING WITH IRA. A JOINT ANGLO-IRISH COMMISSION IS ALREADY MEETING ON QUESTION OF EXTRADITION AND/OR COMMON LAW ENFORCEMENT. THIS IS EXPECTED TO TAKE SEVERAL MONTHS, HOWEVER, AND DONLON SAYS MUCH OF THE DELAY IS BEING CAUSED BY BRITISH SIDE, WHICH HAS BEEN SLOW TO COMPLETE HOMEWORK. GOI BELIEVES IT NECESSARY TO STICK FIRMLY TO PACKAGE AGREED AT SUNNINGDALE, WHICH DID NOT CALL FOR AGREEMENT ON THIS LEGAL PROBLEM* BEFORE SECOND-STAGE TALKS.

7. WE ASKED WHETHER GOI APPROACH MIGHT NOT BE A LITTLE TOO TECHNICAL, SINCE "EXTRADITION" PROBLEM IS CLEARLY AN ESSENTIAL PART OF OVERALL POLITICAL COMPROMISE IN EYES OF NI PROTESTANTS. DONLON ACCEPTED THAT PROBLEM IS OF KEY IMPORTANT BUT GAVE US LONG EXPLANATION OF LEGAL AND PRACTICAL DIFFICULTIES. GIST IS THAT GI WOULD LOVE TO MAKE PROMPT BREAKTHROUGH BUT DOES NOT SEE ANY SOLUTION SHORT OF COMMON LAW ENFORCEMENT AREA, WHICH WILL TAKE MONTHS
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